SPOKANE POLICE DEPARTMENT
CHIEF OF POLICE
CRAIG N. MEIDL

CHRONIC NUISANCE NOTICE – SMC 10.08A / SMC 10.68

Spokane Police Report #2022-20022816

Roger Millar
Secretary of Transportation
310 Maple Park Ave. SE
Olympia, WA 98504

Amy Scarton
Deputy Transportation Secretary
310 Maple Park Ave. SE
Olympia, WA 98504

Jewels Helping Hands
1819 E. Springfield Ave.
Spokane, WA 99202

Parties in Possession

THE FOLLOWING PROPERTY IS IN DANGER OF BEING DECLARED A CHRONIC NUISANCE PROPERTY UNDER SMC 10.08A / SMC 10.68:

Department of Transportation Property: Parcel Numbers 35222.1101, 35222.1105, 35222.1109, 35222.1111, 35222.1312, 35222.2101, and 35222.2311, all situated within the City of Spokane in Spokane County, Washington, legally described as follows:
Blocks 7, 8, 9, 16, 17 & 18; lots 7 through 11 of Block 10 and Lots 7 through 12 of Block 15 of Kaufman's Second Addition to Spokane Falls Wash recorded on May 11, 1889 in Book B, page 4 of Plats in the Office of Spokane County Auditor of Spokane, Washington.

And,

The alleys of Blocks 7, 8, 9, 16, 17, & 18. Green Street(also known as Wilson Street) lying between Blocks 7 & 8 and Blocks 18 & 17; Pacific Street(also known as Second Street) bounded on the west by the extended west line to the south of lot 1 of Block 7 and bounded on the east by the extended east line to the south of lot 7 of Block 10; Ray Street lying between Blocks 8 & 9 and Blocks 17 & 16; and Ralph Street lying between Block 16 & 15, and lying between lots 2 through 6 of Block 9 and lots 7 through 11 of Block 10; and Fiske Street adjoining Block 18 all within said Second Addition to Spokane Falls Wash.

And also

Block 5, the alley of Block 5, and the adjoining Fiske Street of Bisbee's Addition to Spokane Falls, WT recorded on May 8, 1889 in Book B, page 1 of Plats in the Office of Spokane County Auditor of Spokane, Washington.

All Contained within the Northwest Quarter of Section 22, Township 25, Range 43 E. W. M. (the "Property").

The Spokane Police Department has documented the following nuisance activities at the above property:

1. On 2/11/2022 and again on 2/16/2022 the Spokane Police Department informed WSDOT of the increase in criminal nuisance activity at the Property. In fifty-six (56) days there were three hundred and eighty-four (384) calls for service (CFS) in a 0.25 radius around the Property.

2. On 12/28/2021 at 0015 hours, incident no. 2021-20221123, subjects from the Property were swinging at each other, telling each other that they were under citizen's arrest, and then began physically fighting.

3. On 1/19/2022 at 1204 hours, incident no. 2022-20022832, a male from the Property was in a business and refused to leave. The male was belligerent and continued to refuse to leave, frightening people. The male returned to the Property.

4. On 1/26/2022 at 1038 hours, incident no. 2022-20013768, a male from the illegal camp at the Property threw something large onto the freeway. The male then had a pipe like object and pointed it at the caller.

5. On 2/3/2022 at 1121 hours, incident no. 2022-20018688, a female from the Property was at a business, she refused to leave and yelled at customers.

6. On 2/9/2022 at 1042 hours, incident no. 2022-20022292, a female was smoking what appeared to be drugs from a piece of tin foil. The female then went into one of the tents at the Property.

7. On 6/27/2022, the Spokane Fire Marshall notified WSDOT of the Illegal Temporary Structure located between Pacific and First Street to the North and South and Ray and Ralph to the West and East, Spokane, WA 99202, next to parcel #35222.1312. A violation under the Washington State Fire Code, International Fire Code section 105.7.25.

8. On 7/08/2022 at 1730 hours, incident no. 2022-20118240, Officers responded to the illegal camp at the Property to investigate the burglary of a nearby business, Make a Wish Foundation. While Officers utilized a drone, a privately owned drone was launched from somewhere in the illegal camp and was used to collide with the SPD drone. This resulted in propeller damage to the SPD drone. A subsequent search warrant was executed at the suspect's residence, a tent within the illegal camp at WSDOT's property. Officers encountered piles of garbage, old car and bicycle parts, broken pallets, clothing, rotting food, and countless random items of little to no value. The entire area resembled a landfill. Some of the safety concerns included potentially dangerous persons, trip and fall hazards, and extreme biohazard (human waste), and drug paraphernalia. Human waste was observed dumped directly onto the dirt floor of one of the tents (improvised toilet).

9. On 9/5/2022, incident no. 2022-20157143, trespass on private property by a member of the illegal camp was reported.

10. On 9/11/2022, occupants of an abandoned vehicle (truck and camper) were defecating around a nearby business. Before officers could impound the vehicle, the owner showed up and towed it to the Property.

11. The property owner and persons in charge have refused to obtain the requisite permits for structures and encampments at the Property. One such example is the cooling tent erected on 7/27/2022, which requires inspection and permitting by the Spokane Fire Marshal. Property owner and persons in charge have not allowed the inspection for permitting and kept the tent erected in violation of City of Spokane fire code requirements.

12. The Property is being used to deliver, sell, store, or give away controlled substances and constitutes a Drug Nuisance as defined in Section 7.43.010(1) of the Revised Code of Washington.

13. On 10/3/2022, the camp manager reported to an officer that a male was selling drugs in the illegal camp at the Property.

14. The Property routinely generates excessive or unusually loud sound that unreasonably annoys, disturbs, interferes with, injures or endangers the peace, comfort, health, repose or safety of neighbors in and around the Property.

15. Occupants and guests of the Property enter vehicles, homes and property with the intent to commit crime generating an inordinate amount of property crime in the surrounding area.

16. On 10/3/2022, the manager at Mobil Gas Station reported that since the opening of the illegal camp at the Property theft has spiked exponentially, and as a result, all alcohol has to be secured behind a locked cooler. Regular customers have stopped coming to the gas station resulting in a notable profit loss. Finding employees willing to work at the location is now extremely difficult. In the past two months 10-15 employees have quit as a result of the activity spilling out of the Property.

17. Occupants and guests of the Property drive their vehicles with willful disregard for the safety of people and property. This reckless driving is a threat to the public safety of the community.

18. The Property has accumulated litter, refuse, rubbish, garbage, discarded items, and waste material which jeopardizes the health and safety of the community. At considerable expense, the City of Spokane continues to provide garbage collection multiple times a week at the Property.

19. Occupants and guests of the Property knowingly and maliciously threaten neighbors with bodily injury, property damage, and other acts intended to threaten neighbors' physical or mental health or safety.

20. Occupants and guests of the Property present a danger to the neighborhood and a threat to public safety.

21. On 10/5/2022, 0304 hours, incident no. 2022-20177049, Officers responded to a drive by shooting at the WADOT camp. A dark colored Chevy Malibu circled the illegal camp firing shots, left, returned, then fired more rounds. Our preliminary investigation found that the driver was in a dispute with one of the residents of the illegal camp at the Property resulting in the drive by shooting.

22. The impact of the activity occurring in and around WSDOT's Property is devastating to this neighborhood. The continued existence of public nuisance on the subject property has caused the City and the public actual and substantial harm. This harm is immediate and irreparable.

23. The continuous and ongoing drug activity, criminal activity, and nuisance activity in and around the Property is creating an inordinate expense for the City of Spokane, who has spent more than $500,000 on overtime patrol at the Property to date.

24. Occupants and guests at the Property regularly dispose of human waste on City streets and surrounding private property, which is a serious threat to public health.

25. The living conditions at the Property are unfit for human habitation and present an ongoing and continuous fire hazard.

26. The community is unable to enjoy their own property as a result of the criminal nuisance activity at the Property. Irreparable harm includes but is not limited to: loss of business; diminished property value; loss of property due to theft and vandalism; increased security and clean-up costs; and an unreasonable interference with the use and enjoyment of property.

27. The current use of the Property is impermissible under any circumstance.

For over a year the State was unwilling to indemnify the City of Spokane for clean-up and enforcement action at the Property that the City was willing to perform. The City has exchanged letters and met with the State multiple times in an effort to establish a plan to bring an end to the illegal campsite at the Property.

In the September 20, 2022 official response letter, the Washington State Department of Transportation, Commerce and Washington State Patrol outlined a "high-level plan of action" to "strategically decrease the size and footprint of Camp Hope" by "fencing, RV removal, badging and a curfew." Stating, "*matching residents with services and housing options will take months.*" The living conditions and impact on the community requires immediate action.

This Chronic Nuisance Notice is the City's attempt to hold the above parties to an immediate plan and course of action because the drug activity, criminal activity, health hazards, and unfit/substandard living conditions that occur in and around WSDOT's property are continuous, ongoing, and causing immediate and irreparable harm to the community – as well as those living within the camp allegedly being beaten with hammers, raped, and branded.

The City of Spokane stands ready to provide meaningful solutions and support so that together we can successfully improve the health and safety of the illegal campers at the Property and the surrounding community. There is currently adequate shelter space capacity for all involuntarily homeless in the City of Spokane:

Trent Resource and Assistance Center	250 minimum with additional flex space to 400
The Catalyst Project	100 (87 units, including 14 double occupancy)
The Way Out Center	42 spaces
VOA	25 spaces

The City of Spokane can immediately provide safer housing opportunities for all occupants of the Property. Relocating the involuntarily homeless to safer housing will enable all parties to provide services, benefits, and permanent housing solutions.

Winter is coming and the inclement weather, snow, and freezing temperatures present a real and immediate need for action. As outlined above, available temporary shelter solutions are unequivocally safer than the

current living situation at the Property. This process does not establish an arbitrary and irrational deadline to remove the encampment to the detriment of its occupants, but rather is a compassionate action seeking to end a public health and safety emergency before winter strikes.

You must respond, to the Chief of Police, within 10 days of this notice to discuss the nuisance activities giving rise to this notice and create a plan to abate the nuisance. Failure to take all reasonable measures to prevent and abate the conditions giving rise to this notice may subject you to the penalties set forth in SMC 10.08A / SMC 10.68. **This is your opportunity to abate the conditions giving rise to the nuisance.**

Failure to respond within ten days is a class 1 civil infraction. Failure to enter into an abatement agreement or otherwise produce an approved plan to abate the conditions giving rise to this notice within fifteen days is a class 1 civil infraction. Fifteen days after the issuance of this notice every subsequent nuisance activity is a class 1 civil infraction.

The failure to respond as required or to abate the conditions giving rise to this notice may subject you and this property to further legal action in Superior Court, including a judicial declaration that the property is a chronic nuisance property, vacation of the premises, closure and securing of the premises, removal of litter and rubbish, assessment of civil fines, penalties, damages, and imposing the expenses of abating the nuisance on the property and/or the person in charge.

In an effort to collaborate on a successful resolution of this illegal camp, we have included a proposed Abatement Agreement for your approval.

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Date: 10/6/22 Place: 1100 W. Mallon Avenue, Spokane, Washington

Signature: _____

Print Name:

Justin C. Lundgren, Assistant Chief of Police Telephone Number: (509) 625-4063
Craig N. Meidl, Chief of Police